

GABRIEL W. PERPALL.

MAY 15, 1826.

Read and laid upon the table.

Mr. COCKE, from the Committee on Indian Affairs, to which was referred the petition of Gabriel W. Perpall, made the following

REPORT :

*The Committee on Indian Affairs, to whom the petition of Gabriel Wm. Perpall, of East Florida, was referred, have had the subject under consideration, and report :*

The petitioner states that, in the year —, forty-four negro slaves, the property of the petitioner, absconded from his plantation, near St. Augustine : that, while said negroes were wandering in East Florida, a party of warriors, of the Creek nation of Indians, under the command of Col. William Miller, an Indian Chief, made an incursion into Florida, found and captured twelve of said negroes, and carried them into the Creek nation, gave information of the fact to Col. John Crowell, United States' Agent for said nation. In the month of August, 1821, Col. Crowell advertised the negroes for sale on the 5th of November, of the same year, unless the owners, before the day of sale, should prove their property to said negroes : that the petitioner, on obtaining knowledge of the advertisement, empowered a certain James Darby to repair to the Agency, prove such of the negroes as were his, and receive and bring them to Florida. Darby, the agent of the petitioner, claimed and proved eight of the negroes mentioned in the advertisement of Col. Crowell to be the property of the petitioner. The affidavit of James Darby, Perpall's agent, states, after proving said eight negroes to be Perpall's, and also one other, which had descended to Perpall from the estate of Doctor Santos, which he also found and proved among the negroes advertised, Col. Crowell refused to deliver them, or permit him to take them to Florida, alleging that the War Department had directed him to retain said negroes,



and that he could not permit them to be taken until he was authorized by the War Department. From this conduct of Crowell, he was compelled to sell said negroes to General McIntosh and other Indian chiefs, at great sacrifice: That Crowell, the agent of the United States, retained in his hands \$ 50 as a reward for the apprehension of each negro, which would amount to \$ 450.

The Committee, on reading this statement of James Darby, called Col. Crowell before them, and required an explanation of this gross official misconduct, and are gratified to say they are perfectly satisfied: Col. Crowell positively denies all the facts contained in the affidavit of Darby, so far as they impute any injustice being done to Perpall. Col. Crowell states that the negroes in his power or possession were safely delivered to James Darby, Perpall's agent, for which Darby gave his receipt, and appeared perfectly satisfied that said account be forwarded to the War Department, where it now is: that the sale of the negroes was afterwards made to the Indian Chiefs for their full value, by the act of Darby himself, without the least control or interference, or even the knowledge of Crowell, the agent: that the \$ 50 for capturing each negro, by mutual consent of Darby and the Indian Chiefs, was deducted from the price of each negro, and never came into his possession. To substantiate this statement, Colonel Crowell forwarded the affidavit of William Hambly, the Interpreter to the Creek nation, which, in the opinion of the committee, fully verifies Crowell's statement. The Colonel also alleges that he can substantiate the same facts by sundry gentlemen from Georgia, Alabama, and Florida, who were present, and conversant with the whole transaction. From a full view of the case, the committee do not discover the necessity of legislative interposition, because there is no difficulty in Perpall's obtaining his lost negroes, wherever they may be found, on proving property according to law. The committee recommend the adoption of the following resolution.

*Resolved*, That the petitioner have leave to withdraw his petition and documents.